

MINUTES – JUNE 7, 2004

The Caswell County Board of Commissioners met in regular session at the Historic Courthouse in Yanceyville, North Carolina at 6:30 p.m. on Monday, June 7, 2004. Members present: Mel O. Battle, Chairman, Larry G. Hamlett, Vice-Chairman, Jack W. Hooper, Cathy W. Lucas, Kenneth D. Travis, and George W. Ward, Jr. Absent: Nathaniel Hall. Also present: Jeffrey H. Earp, County Manager, Robert V. Shaver, Jr., and Gordon Bendall representing The Caswell Messenger. Wanda P. Smith, Clerk to the Board, recorded the minutes.

MOMENT OF SILENT PRAYER

Chairman Battle opened the meeting with a Moment of Silent Prayer.

APPROVAL OF AGENDA

Commissioner Travis moved, seconded by Commissioner Hamlett to approve the agenda as presented. The motion carried unanimously.

APPROVAL OF CONSENT AGENDA

Commissioner Hamlett moved, seconded by Commissioner Travis to approve the Consent Agenda as presented.

Commissioner Lucas requested that Item #D, Budget Amendment No. 38, be removed from the Consent Agenda.

Upon a vote of the motion, the motion carried unanimously.

The following items were included on the Consent Agenda:

- 1) Approval of Minutes of March 29 and April 5, 2004 Meetings
- 2) Monthly Tax Report for April, 2004

Total Amount of Taxes Collected	\$307,166.97
Tax Maps	\$ 286.95
2004 Prepayments	\$ 10,643.76
NSF Charge	\$ 50.00
County Maps	\$ 23.70
- 3) Monthly EMS Billing Report for April, 2004

Total Billed	\$ 32,710.00
Total Collected	\$ 21,142.03
Total Claims Filed with Medicare	50
Total Claims Filed with Medicaid	25

Total Adjusted Private Pay	\$ 1,518.40
Total Adjusted Medicare/Medicaid	\$ 7,820.94

4) Budget Amendment No. 39-Health Department

Commissioner Lucas requested an explanation of Budget Amendment No. 38, Section 13, Section 2. The County Manager explained that the cost for the repairs to court facilities was taken out of Current Year Revenues instead of Fund Balance as instructed by the Board and this amendment is to reflect that. Commissioner Lucas questioned whether this included the New Courthouse Paint Project and, if so, who did the painting. Mr. Earp answered that this amount does include the Paint Project at the New Courthouse and inmates did the painting. After further discussion, Chairman Battle moved, seconded by Commissioner Hamlett to approve Budget Amendment No. 39 – Health Department as presented. The motion carried unanimously.

PUBLIC COMMENTS

Chairman Battle opened the floor for public comments.

Mr. Dorsey Wiley, Jr., US Hwy 158, Yanceyville, NC, came before the Board and stated that he, along with six family members, own property at this address, which is located across from Blackwell's Church. Mr. Wiley informed the Board that a light has been erected across the road at Blackwell's Church and it is unusually bright. Mr. Wiley stated that to his knowledge, the County has no Ordinance that would address anything like this to protect the homeowner. Mr. Wiley added that he hoped that the Board might do something to help homeowners like him. Mr. Wiley stated that a realtor had informed him that if they tried to sell this property, which they do not intend to do, that this light would decrease the value of their property. Mr. Wiley added that if he put a bright light in front of anyone's house in this building and kept it on all night long, he did not think anyone would like it. Mr. Wiley noted that he belongs to this church. Mr. Wiley stated that from Reidsville to Roxboro he was not aware of another sign like this in front of someone's house. Mr. Wiley stated that this sign is out of character and wondered if it would fall under a nuisance law. Chairman Battle noted that Mr. Wiley is referring to a marquee sign in the churchyard that burns all night and is bright on both sides, and questioned the County Planner as to whether there is any Ordinance that relates to this. Mr. Cusimano answered that he could take a look at this, but there is nothing in the County's current Ordinances that address this. Mr. Cusimano noted that this is something that is typically addressed in a Zoning Ordinance. Chairman Battle questioned Mr. Wiley as to whether the church has discussed the hours of operation of the light. Mr. Wiley answered that they have discussed this and tried to come to some kind of peaceful resolution, but it did not work. Commissioner Lucas questioned Mr. Wiley as to how long the light has been there. Mr. Wiley answered that it has been there approximately one and one-half years. Chairman Battle stated that the Board would take a look at this and would let him know what they could do.

Ms. Benton Kay Covington Thompson came before the Board and stated that she has been a Registered Nurse for almost 39 years, been a Public Health Nurse for over 15 years, and currently serves as Clinical Coordinator for the Caswell County Health Department. Ms. Thompson added that the situation before the Board that will be discussed later tonight is very unique and one that is unlikely to occur again for years to come, if ever. Ms. Thompson stated that because Caswell County is underserved in the medical area, the situation is even more profound and the consequences of this decision will impact heavily. Ms. Thompson added that she would appreciate the Board's consideration in this important matter for the less spoken, the more economically deprived, and the professional staff of the Health Department. Ms. Thompson noted that the Board should have received a summary sheet of the contrast in the two candidates. Ms. Thompson stated that she feels that the services being provided now by the current Nurse Practitioner are very good and she sincerely hoped that there would be no change. Chairman Battle informed Ms. Thompson that the Board would take this issue into consideration during its budget meetings.

Mr. David Vernon of the Pelham community came before the Board and stated that he would like to speak to them about the proposed budget. Mr. Vernon noted that he would be unable to attend future meetings and that is why he is addressing the issue tonight. Mr. Vernon stated that being a past County dispatcher and a member of the fire service, there were problems with third calls and having an ambulance in the County. Mr. Vernon added that three or four years ago the Board of Commissioners adjusted the pay for the paramedics to compensate them better for covering third call overtime. Mr. Vernon stated since that time, observing through the fire service and radio communications, the County has had much better service for providing third calls and responses from the paramedics to cover third calls and more dedication because they were compensated better. Mr. Vernon asked the Commissioners as they are going through the budget process to remember this and added that he felt that if their pay is adjusted again, not only the citizens of Caswell County, but also the members of the fire service will see the decreased response from these individuals in the effort they put forth. Mr. Vernon stated that if the paramedic's pay is decreased in any way, he felt the County would be backing up in time instead of going forward as they have in the last few years. Mr. Vernon added that there are a lot more paramedics employed that live in the County that are responding to these requests for third calls and providing the service that the County needs.

BOARD OF EQUALIZATION AND REVIEW

Chairman Battle moved, seconded by Commissioner Hamlett that the Board of Commissioners recess and reconvene as the Board of Equalization and Review. The motion carried unanimously.

Chairman Battle requested that the Tax Director briefly explain for the public the procedure of the Board of Equalization and Review. Mr. Thomas Bernard, Tax Director, reported that any citizen who has questions or questions the value of their property as a result of the revaluation can come before the Board of Equalization and Review to

present their case and evidence. Mr. Bernard stated that the issue would then be further reviewed by the Tax Office and Revaluation personnel and at the next meeting they would come back before the Board of Equalization and Review to request an adjustment if it is deemed appropriate or that the value remain the same.

Mr. George Brumfield came before the Board of Equalization and Review and stated that he lives on the Shady Grove Road. Mr. Brumfield added that his problem is very simple in that he moved there 22 years ago and bought a house and lot which was a little over one acre. Mr. Brumfield informed the Board that a few years later he bought 1.97 acres of pastureland. Mr. Brumfield stated that the Tax Office has grouped the property together as one. Mr. Brumfield added that during the last revaluation the property was separated, but it has now been put together again. Mr. Brumfield noted that he has two separate deeds. Mr. Bernard stated that property would be grouped together either by deed or survey, but he would review this issue further.

Mr. & Mrs. James White came before the Board of Equalization and Review concerning the value of their property. Ms. White stated that their valuation went up \$36,258 and they feel that this is too much. Ms. White added that they have not made any improvements, they are not raising anything on the land, and there is no income on the farm. Ms. White informed the Board that they own a 94-acre farm and their home is located on this property. Mr. Tommy Blount, representing Pearson Appraisal Company, stated that the value placed on Mr. & Mrs. White's property was determined by comparable sales in the area. Mr. Blount reported that there was a sale next door to the White's in 2001 of 54.99 acres for \$176,000 and that indicated a land value of \$2,000 per acre. Mr. Blount noted that Mr. White's property is averaged at a value of \$1,700 per acre and his house is bigger than the one in the sale. Mr. Blount stated that there were a number of lot sales on the Hines Hatchett Road which averaged \$14,000 - \$16,000 per acre for a home site. Chairman Battle questioned the percentage of the increase of Mr. White's valuation. Mr. Blount answered that the old value of the property was \$276,767 and the new value assessed is \$313,097. Chairman Battle noted that the increase of the valuation of the White's property is approximately 13%. Commissioner Lucas asked Mr. Blount how many comparable sales he uses to place a value on property. Mr. Blount answered that he uses as many comparable sales as there are available. Chairman Battle asked Mr. Blount what he would do if there were no sales in a particular area. Mr. Blount answered that he would go to the nearest sales. Mr. White stated that they felt that a \$36,000 increase from the last valuation is totally ridiculous.

Mr. David Horne came before the Board, read, and submitted the following letter from he and his wife.

June 7, 2004

To: Board of Equalization and Review
Old Court House
Yanceyville, NC 27379

From: David L. & Donna W. Horne
PO Box 248
Pelham, NC 27311

Re: Properties: R 0018.00.00.0028.0000- Country Lane
R 0018.00.00.0224.0000- 313 Joyce Road
R 0018.00.00.0225.0000- 315 Joyce Road
R 0032.00.00.0192.0000- Castle Road

Dear Sirs;

We are challenging the revaluation of the above noted properties.

We are requesting “a change in value. . . be considered. . . if the real estate owner can demonstrate that the appraised value is. . . inconsistent with value placed on like or similar property”. We own four (4) contiguous pieces of property in Pelham. All of the properties are wooded. All of the properties have creeks. All of the properties slope to the creeks. All of the properties are between 6 and 16 acres. All of the properties have home building sites on them. All of the properties are certified by a state-registered geologist to have acceptable “perk” locations. All of the properties have similar land covenants. All of the properties have similar road maintenance agreements. All of the properties are located on cul-de-sacs. All of the properties are “. . . like or similar property.”

Attached is a tabulation of the information we received from challenging the revaluation in a meeting with Pearson’s Appraisal Service, Inc. As you can see for the evaluations for 313 Joyce Road, the lot in Castle Rock, and the lot on the Country Lane, the mathematics of the revaluation was to increase the value of each property 20%.

We challenged the flat rate increase of 20%. We were told that each property was evaluated on the individual merits of each property. Attached is a tabulation of the individual merits of each non-building acre and the individual merits of each building acre. We were told that a determination was made based upon these criteria for each individual property. We have not been able to see that determination for the four (4) properties we own.

We ask your consideration of common sense be applied to the values of contiguous, common property only identified by the marks of land surveying on a plat. There is not any way to distinguish where one property starts or stops when you “walk the land”. The properties are truly “like or similar properties” and deserve to be re-evaluated to the same value per acre.

We also challenge the revaluation of the home located on the property at 315 Joyce Road. At the second meeting we challenged the revaluation of our property, we agreed with Mr. Pearson that our home was constructed to be “planned obsolescent”, and it is incomplete. We agreed with the mathematics as follows for our two (2) room home:

1. Home to be valued based upon the standard evaluation for a 1 ½ bath home.
2. The home value to be reduced by 15% for the planned obsolescence.
3. The home value to be reduced by 15% for the jointly agreed upon completion of 85%.

The current revaluation does not reflect the agreement with Mr. Pearson.

We are requesting the above factors be applied to the portion of the value of 315 Joyce Road that reflects the home independent of the value of the land.

We want to thank you for your time and consideration of our request.

Sincerely,

David L. & Donna W. Horne

Mr. Bernard, Tax Director, stated that Mr. Horne met with Mr. Bob Pearson and there were some adjustments made. Mr. Horne stated that adjustments were not made which were agreed upon in the meeting. Mr. Horne noted that his house is located on 315 Joyce Road and nothing is on the other properties. Mr. Bernard stated that he would consult Mr. Pearson about the adjustments that were to be made to Mr. Horne's property and why the changes were not made.

Mr. Mark B. Jeffries, 11181 Park Springs Road, came before the Board and stated that he was present to address the inaccuracies in his tax revaluation. Mr. Jeffries informed the Board that his house only has two baths instead of two and one-half as listed and his acreage was increased in error by one one-hundredth of an acre. Mr. Jeffries added that he no longer has an outbuilding that was destroyed by an ice storm. Mr. Bernard stated that he would review Mr. Jeffries valuation.

Mr. Bernard stated that he would review the requests made tonight and bring the additional information back before the Board.

Chairman Battle moved, seconded by Commissioner Travis that the Board of Equalization and Review recess until June 21, 2004, at 6:30 p.m. and to reconvene as the Board of Commissioners. The motion carried unanimously.

**RESOLUTION SUPPORTING THE FUNDING AND CONSTRUCTION OF THE
PROPOSED MEBANE BY-PASS IN ALAMANCE COUNTY, NORTH CAROLINA**

Mr. Mike Cusimano, County Planner, came before the Board and stated that the local Transportation Improvement Plan Committee, the RPO, and the Department of Commerce/21st Century Committee all stand united in the need for interstate access as a means of improving the County's economic status. Mr. Cusimano added that a

connection to Interstate 40/85 east of the split with 85 is critical and the proposed Mebane By-Pass appears to be their best opportunity to accomplish this. Mr. Cusimano presented for the Board's review a proposed Resolution supporting the funding and construction of the proposed Mebane By-Pass and stated that if adopted, he would forward it to Mr. Doug Galyon, Chairman, North Carolina Board of Transportation. After further discussion, Chairman Battle moved, seconded by Commissioner Travis to adopt the following *Resolution Supporting the Funding and Construction of the Proposed Mebane By-Pass in Alamance County, North Carolina (TIP U-3109-NC119 Relocation – I-85 to State Road 1917)*. The motion carried unanimously.

RESOLUTION
SUPPORTING THE FUNDING AND CONSTRUCTION OF THE
PROPOSED MEBANE BY-PASS IN ALAMANCE COUNTY, NORTH CAROLINA
(TIP U-3109 – NC 119 RELOCATION – I-85 TO STATE ROAD 1917)

WHEREAS, Caswell County is designated as an economically distressed Tier 2 County by the State of North Carolina Department of Commerce, based on multiple factors including low per capita income, low average wage rates, low population counts, and high unemployment rates; and

WHEREAS, Caswell County is designated as an Economically Distressed County by the United States Economic Development Administration due to low per capita income; and

WHEREAS, access to Interstate routes has a significant positive economic impact on counties, as documented in the *Interstate 73/74 Economic Atlas of North Carolina* published in February, 2004 by the Piedmont Triad Rural Planning Organization administered by the Piedmont Triad Council of Governments.

NOW, THEREFORE, BE IT RESOLVED that Caswell County hereby supports the funding and construction of the proposed Mebane By-Pass in Alamance County, North Carolina (TIP Project U-3109-NC 119 Relocation – I-85 to State Road 1917), as a strategic means of improving the economic opportunities and quality of life for the residents of Caswell County, by obtaining better access to Interstate 85.

ADOPTED THIS THE 7TH DAY OF JUNE, 2004.

Attest:

S/Wanda Smith
Wanda Smith, Clerk
Caswell County Board of Commissioners

S/M. O. Battle
Mel Battle, Chairman
Caswell County Board of Commissioners

SOLID WASTE COLLECTION CONTRACT

Mr. Tim Smith, Solid Waste Director, came before the Board and informed the Board that the County's Solid Waste Contract will need to be awarded by August 2, 2004. Mr. Smith reported that the request for proposals was prepared and available for bidders on March 1, 2004, with a pre-bid conference being held on March 16, 2004. Mr. Smith added that there was a representative present from First Piedmont Corporation, Waste Management, Waste Industries, and Republic Waste Services. Mr. Smith reported that the bids for a new contract were opened on April 30, 2004 and a representative from each of the companies noted were present. Mr. Smith stated that all bids were on a per pull, per site basis and the figures that were provided to the bidders were based on individual site performance from the month of May, 2004 through August 31, 2003. Mr. Smith added that after analyzing the bids, the final results showed that Waste Industries underbid Waste Management by \$33,404.46 and underbid First Piedmont Corporation by \$38,957.26, with Waste Management underbidding First Piedmont Corporation by \$5,552.80. Mr. Smith reported that the following bids were submitted:

Waste Industries	\$365,528.10
Waste Management	\$398,932.56
First Piedmont Corporation	\$404,485.36

Chairman Battle discussed problems associated with weekend and holiday service in the past and requested clarification on the bid submitted by Waste Industries. Mr. Michael Ingle, Branch Manager, Waste Industries, stated that other than Christmas Day and Thanksgiving Day, they will be available to the County. Mr. Ingle added that they would be available to haul garbage on the Saturday after Christmas if the Board so desired. Mr. Ingle stated that the Solid Waste Director just needed to let them know the County's needs and they would take care of them.

Commissioner Lucas asked the value of two new set-up location sites. Mr. Smith answered that it would cost approximately \$26,000 for a new site. Commissioner Lucas noted that First Piedmont Corporation had stated in its contract that it would provide two similar or used compactors to the County and questioned the value of this. Mr. Smith answered that the value of the two compactors would be approximately \$20,000.

The County Manager stated that the County's current solid waste contract would expire at the end of August. Mr. Earp added that he and the Solid Waste Director would gather any information needed by the Board before it makes a decision on the award of this contract.

CONSIDERATION OF AWARD OF AUDIT CONTRACT

Commissioner Lucas, member of the Audit Committee, reported that the Audit Committee received three proposals for the audit contract and they have narrowed the selection to two. Commissioner Lucas stated that the Audit Committee would be

receiving copies of the proposed contracts and would review them further at a workshop scheduled for tomorrow.

INSURANCE RENEWALS

Mr. Jeff Earp, County Manager, provided the Board with a spreadsheet summarizing the Major Medical, Dental Insurance, Workers' Comp, and Liability and Property renewal costs. Mr. Earp stated that during his last discussion with the Board concerning Major Medical, he had been instructed to go back and pool the County's employees to see what their preference would be. Mr. Earp added that the County employees' response was overwhelming in that they wanted to stay with Blue Cross/Blue Shield. Mr. Earp noted that their main concern was that a change in coverage would create customer service issues and confusion and they were also concerned about quality of care and the North Carolina/Virginia networking.

Mr. Earp informed the Board that the FORTIS plan, which is the County's current dental insurance provider, proposes a 5.5% increase over last year's premium with all benefits remaining the same. Mr. Earp recommended that the Board renew its dental insurance with FORTIS.

Mr. Earp also provided quotes and contracts from the North Carolina Association of County Commissioners for renewal of Workers' Comp and Property and Liability Insurance. Mr. Earp noted that there was a reduction in premiums this year. Mr. Earp recommended that the Board continue to stay with North Carolina Association of County Commissioners Group Benefits Pool. Mr. Earp added that if the County chooses to continue with the NCACC Pool it will receive a three percent discount due to the County participating in three of their programs.

Commissioner Lucas asked the County Manager if the County's property is reassessed every year. Mr. Earp answered that last fall NCACC had an independent contractor come in and assess the value of the County's property.

Commissioner Lucas questioned the amount the County is paying for its Liability Policy. Mr. Earp answered that the total for workmen's comp and liability is approximately \$215,000.

After further discussion, Commissioner Hamlett moved, seconded by Commissioner Travis that the County continue its Major Medical insurance coverage with Blue Cross/Blue Shield. The motion carried unanimously.

Chairman Battle moved, seconded by Commissioner Ward that the County continue its Dental insurance coverage with FORTIS. The motion carried unanimously.

Commissioner Travis moved, seconded by Commissioner Hamlett that the County continue its Liability and Property insurance coverage with the North Carolina Association of County Commissioners' Group Benefits Pool. The motion carried unanimously.

Chairman Battle moved, seconded by Commissioner Travis that the County continue its Workmen's Comp insurance with the North Carolina Association of County Commissioners' Group Benefits Pool. The motion carried unanimously.

PRESENTATION OF FLUCTUATING WORK WEEK INFORMATION

Mr. Jim Gusler, Jr., Emergency Medical Services Director, came before the Board and shared with them a presentation of how a fluctuating workweek would affect EMS employees. Mr. Gusler shared with the Board information from the North Carolina Department of Labor which explains fluctuating workweek overtime. Mr. Gusler stated that fluctuating workweek overtime pay is a way to comply with the overtime pay requirements of time and half pay for all hours worked in excess of 40 in a workweek when an employee's time fluctuates from week to week. Mr. Gusler presented and discussed the following overview of a fluctuating workweek.

An Overview of Fluctuating Workweek

Jim Gusler

Caswell County EMS

The Issues

- **Legalities:**
 - EMS employees are entitled to overtime compensation for all hours over 40 per week.
 - EMS employees do not fall under the same USDOL exemptions like some firefighters and police officers.
- **Hours**
 - The full time Caswell County employee works 2012 hours per year.
 - The regular workweek for an EMS employee is 24 hours on and 48 hours off.
 - That equates to approximately 240 hours a month.
 - Yearly this corresponds to more than 2912 hours worked.

The Issues

- **Financial:**
 - Limited budget.
 - Current overtime policies have caused a significant overage in the salary line item.

The Solution Has To Address The Following!

- Stabilize and define the pay structure.
- Pay personnel an overtime premium for hours over 40 per week.

- Be financially responsible to the budget and to the citizens of Caswell County.

An Answer: Fluctuating Workweek Overtime

- What is FWW Overtime?
 - Very common way to pay overtime to personnel that work a 42 or 56 average hour workweek.
 - Alamance and Guilford Counties currently use this structure.
 - Legally recognized way to pay overtime to personnel whose workweek fluctuates.
 - Code of Federal Regulations Ch. 29 Sub. 778.114
 - Griffin v Wake County 1998
 - Flood v New Hanover County 1997

What does Fluctuating Workweek do for the County?

- Stabilizes the pay plan. Pay is based on the employee's annual salary.
- Stabilizes budget expenditures. Since pay is based on annual salary we are better able to control payroll expenditures. Unlike now with overtime expenditures varying greatly each month.
- Puts into place a stable pay plan to build on and one that has been legally upheld.

How FWW Works?

- Rules that must be conformed to:
 - Understanding between employee and employer that the employee will be paid using the fluctuating workweek method.
 - The number of hours worked each week must fluctuate.
 - The employee must be paid a fixed salary each week regardless of the number of hours worked. Two exceptions:
 - Employee does not have accrued time off to cover missed hours.
 - Employee works enough hours that hourly pay falls below minimum wage. In that event weekly salary would be adjusted to conform to minimum wage standard. Would only happen with EMT pay not Paramedics.

FWW Rules Continued

- Rules that must be conformed to:
 - The salary must be sufficiently large enough that the employee's regular rate will not drop below minimum wage.

- The employee must be paid an overtime premium for all hours over 40 each week. The overtime premium must be at least 50% of the regular rate for the workweek.

How FWW will work for Caswell Emergency Medical Services.

- Personnel will receive a fixed monthly salary for regular work hours. This monthly salary will be based on the employee's yearly salary.
- Personnel will receive an overtime premium for all hours over 40 per week.
- Personnel will receive hour for hour compensatory time for all hours worked above the employee's regular work hours.

Looking at the numbers!

- Employee A has a yearly salary of \$27,000.
 - Based on this:
 - Employee A's monthly salary: $27,000/12 = 2250.00$
 - Employee A's weekly salary: $27,000 / 52 = 519.23$
 - If employee A worked a 48 hour week then the following would happen under FWW:
 - Employee A would be paid a Weekly Salary of \$519.23.
 - Employee A would be paid an overtime premium of \$43.27. (Weekly Salary / Weekly Hours / 2)
 - Employee A would be paid a total weekly salary of \$562.50. (Weekly Salary + Overtime Premium)

What will a Timesheet Look Like?

Speaking of Numbers!

What Does Fluctuating Workweek Do For Our Employees?

- Provides a pay plan that is stable and provides for regular overtime compensation.
- Overtime not dependent on employee vacancies, inclement weather, or disaster.
- This plan, at current salary levels, will have some impact employees pay levels. Most employees will earn less in 2004-05 than they did in 2003-04.

Mr. Gusler stated that he believes that the fluctuating workweek plan is a fiscally responsible plan. Mr. Gusler added that he feels that this is a good plan which can be built upon and taken into the future.

Mr. Gusler answered a number of questions from the Board. Chairman Battle questioned how it is determined which employee works overtime. Mr. Gusler answered that this plan was in place when he became EMS Director and it is basically who is available when the overtime is needed. Mr. Earp clarified further that according to the policies and procedures in place, part-time help is called upon first when overtime is needed and if they are unavailable, overtime is strictly on a volunteer basis by call-back. Mr. Earp added that there is not a rotation system in place, it is strictly on a volunteer basis.

Chairman Battle asked Mr. Gusler if this proposal has been shared with EMS employees, and if so, what was the feedback. Mr. Gusler answered that the proposal has been shared with most of the current employees and most of the feedback is that they are concerned about losing money. Chairman Battle asked Mr. Gusler isn't the proposed plan fair for everyone. Mr. Gusler said the plan is across the board and is fair for everyone. Chairman Battle noted that the plan appears to be equitable for everyone. Commissioner Lucas stated that the difference is in the rate of pay. Upon questioning from Commissioner Lucas, Mr. Gusler answered that the County EMS staff base pay is much lower than surrounding counties. Mr. Gusler clarified that none of the current EMS staff is classified as professional employees.

Mr. David Vernon, Captain Mike Trollinger, and Captain Dennis Hancock spoke in opposition to the fluctuating workweek.

Chairman Battle stated that he would like to have input from the entire EMS staff because he would not want to do something to save a few dollars, yet take away from someone, he would rather look at the big picture and how it is perceived. Chairman Battle added that the Board would like to know the EMS survey results and they would consider all of the information that has been given to them.

RECESS

The Board held a brief recess.

COUNTY MANAGER'S REPORT

Mr. Jeff Earp, County Manager, presented a request from the Caswell County Parish that the County donate five used computers to their agency. Mr. Earp stated that the Caswell Parish will be setting up two new offices July 1st and several of the computers they are using are old and cannot be used for the internet. Mr. Earp added that most of the Parish's funding sources are requiring reports to be e-mailed each month and they are in need of internet capabilities. Mr. Earp noted that only the Board of Commissioners can dispose of surplus property. Chairman Battle asked if there were any surplus computers available. Mr. Earp answered that the County did have surplus computers. Upon

questioning from Commissioner Lucas, Mr. Earp answered that normally surplus property is sold at public auction, but the Board of Commissioners have the authority to donate these computers to the Parish. Commissioner Lucas questioned whether a lease agreement could be arranged with the Caswell Parish for an insignificant amount. Chairman Battle noted that there is also a request before the Board from Ms. Ellen Crandall of 771 North Main Street, Yanceyville, NC who has a sick five-year-old child, that the County donate to her a surplus computer.

After further discussion, Commissioner Travis moved to donate five surplus computers to the Caswell Parish and one surplus computer to Ms. Ellen Crandall. The motion died for lack of a second.

Commissioner Lucas moved to allow the Caswell Parish and Ms. Ellen Crandall to lease County surplus computers for a fee of one dollar per year, and upon such time that they no longer require the use of these computers, that they revert to the County. The motion died for lack of a second.

Chairman Battle moved, seconded by Commissioner Hamlett that the requests by the Caswell Parish and Ms. Ellen Crandall for surplus computers be denied. The motion carried by a vote of four to two with Commissioners Hooper and Travis voting no.

Commissioner Lucas requested that the County Manager notify the Caswell Parish and Ms. Ellen Crandall when the County conducts a public sale of surplus property.

Mr. Earp presented a request from Ms. Shirley Layne to remove an outbuilding located on the Pelham Industrial Park Site. Mr. Earp stated that Ms. Layne would like to remove this building and restore it for presentation. Mr. Earp added that there are several outbuildings located on both the north and south side of Hwy 700 where the Industrial Park is located. Mr. Earp noted that the Board of Commissioners authorized the giving of a bulk barn that was located on this site with the stipulation that once the structure was removed, that cleanup be completed by the recipient. After discussion, Commissioner Travis moved, seconded by Commissioner Hamlett that the request by Ms. Shirley Layne for an outbuilding located at the Pelham Industrial Site be denied. The motion carried unanimously.

Mr. Earp presented a request from Mr. Tom Edmonds, Economic Developer, to be reappointed to the Piedmont Triad Partnership Executive Committee. Mr. Earp informed the Board that Mr. Edmonds will be rotated off of this Committee next month. Mr. Earp stated that the Board of Commissioners can designate anyone to represent them as their representative to the PTP Board, but that same person must also represent Caswell County on the Executive Committee for 2004-2005. Mr. Earp added that the Piedmont Triad Partnership has said that Mr. Edmonds could serve another year on the Executive Committee if appointed by the Commissioners as their representative. Mr. Edmonds had stated that he felt it important that Caswell County have a representative that has the established relationships, background, and knowledge that enables Caswell County to derive more benefit, have a greater impact, and make informed decisions on PTP policy,

programs, and activities that affect Caswell County and the PTP. After discussion, Chairman Battle moved, seconded by Commissioner Travis to reappoint Mr. Tom Edmonds to the Piedmont Triad Partnership Executive Committee. The motion carried unanimously.

Mr. Earp presented a request for approval of a Law Library Contract with Thomson West. Mr. Earp stated that for several years he has been trying to decrease the cost of materials for the Law Library located in the New Courthouse and asked for help from the Caswell County Bar Association. Mr. Earp presented for the Board's consideration a recommendation for a new contract with Thomson West to supply the materials for the Law Library. Mr. Earp noted that his recommendation has been endorsed by the Caswell County Bar Association who was instrumental in negotiating the proposal. Mr. Earp informed the Board that the County has been spending an average of \$15,000 per year for Law Library materials, while under the new proposal the cost would drop to \$9,955.20 per year. Mr. Earp stated that the proposal would also allow the County to automate its Law Library, which would also alleviate some current space problems. Commissioner Lucas requested that the County Manager contact Thomson West and determine the cost for a terminal to be located in the County Attorney's office. Mr. Earp stated that this issue has been investigated and it would be cost prohibitive. After discussion, Chairman Battle moved, seconded by Commissioner Hooper to approve a contract with Thomson West to supply the materials for the Caswell County Law Library at a cost of \$9,955.20 per year. The motion carried unanimously.

Mr. Earp reported that over the last few months he has had several calls and complaints concerning the upkeep of the site at the Prospect Hill Solid Waste Center located at Old Talley's Store. Mr. Earp stated that he has written letters to the site operator, Mr. Kent Rimmer and while conditions have improved, he still receives complaints on a less frequent basis. Mr. Earp added that the contract with Mr. Rimmer expires December, 2004, and he would like to know the Board's feelings on possible relocation and procedure that the Board wished for him to follow in the event that they desire that the site be relocated.

Mr. Earp shared with the Board the Caswell County Landfill, First Semi-Annual 2004 Groundwater Monitoring Event Sampling Results which had been conducted by Dewberry & Davis. Commissioner Hamlett questioned the cost and frequency of this groundwater monitoring. Mr. Earp answered that the groundwater monitoring is conducted semi-annually at an annual cost of approximately \$3,600.

Mr. Earp reported that at the Board's May 24, 2004 meeting, Chairman Battle presented a request from a citizen living on Marshall Graves Road for a waiver of an EMS bill in the amount of \$329. Mr. Earp added that this request was made due to his circumstances of being unemployed and without insurance coverage at this time. Mr. Earp noted that the individual has been a volunteer firefighter/first responder for 14 years in the County. Mr. Earp stated that he personally felt that the request is justified, but reminded the Board that it would be setting a precedent for the future. Mr. Earp added that if the Board was considering granting the waiver, that he would recommend that they consider setting

some criteria for this type of request so that in the future the Board could remain fair and equal in its decisions to waive such fees. Mr. Earp presented the following suggested criteria, but noted that it is not all-inclusive and each case should be reviewed upon its own merit.

- Person receiving waiver be unemployed.
- Person receiving waiver be uninsured.
- Person serving in a voluntary capacity for at least 10 years with an agency that has a positive impact on emergency services within this County (or a volunteer agency that has an equal impact on Caswell County and its citizens).
- This be a one-time benefit.

Commissioner Lucas asked if the individual had been offered a payment option with EMS. Mr. Earp answered that he did not think the individual had made this request. Commissioner Lucas informed the Board that there was a former EMS employee with an ambulance bill and it was not forgiven, but was set up on a payment schedule. After discussion, Chairman Battle moved to accept the County Manager's proposal as presented in granting waivers, specifically the criteria outlined, and if approved, that it be effective immediately to cover the request made by the individual living on Marshall Graves and those in the future. The motion died for lack of a second.

Mr. Earp stated that the Board of Commissioners had appointed Commissioner Lucas to the 21st Century Steering Committee and due to time constraints, she has requested that she be allowed to resign from this Committee. Mr. Earp requested that another Board member be appointed to this Committee. Commissioner Hooper agreed to serve on the 21st Century Steering Committee.

OTHER BUSINESS

Chairman Battle reported that a voting delegate and alternate from the Board of Commissioners needs to be appointed for the National Association of County Commissioners' Conference to be held in Phoenix, Arizona in July, 2004. Commissioner Lucas moved, seconded by Commissioner Ward to appoint Chairman Battle as the voting delegate and Commissioner Hall as the alternate to the NACo Conference in Phoenix, Arizona. The motion carried unanimously.

Chairman Battle questioned the status of the painting of the Historic Courtroom ceiling. Mr. Earp answered that a representative of Sherwin Williams came to the Courtroom, met with the Maintenance Director, and took some samples. Mr. Earp stated that he has not gotten back with him or the Maintenance Director. Mr. Earp noted that the representative attributed a lot of the problem to the quality of paint and the mixing of types of paints, such as latex and oil.

Chairman Battle asked why the County's Maintenance Department mows the grass at the Historical Association property when it is not a County building or property. Mr. Earp answered that he was not aware that this was being done, and would check on it.

CLOSED SESSION

Chairman Battle moved, seconded by Commissioner Travis that the Board enter into closed session to preserve the Attorney/Client privilege (NCGS 143-318.11(a)(3)) and to consider the compensation, terms of appointment, and performance of an individual public officer (NCGS 143-318.11(a)(6)). The motion carried unanimously.

REGULAR SESSION

Chairman Battle moved, seconded by Commissioner Travis to resume regular session. The motion carried unanimously.

BOARD OF HEALTH

Chairman Battle moved, seconded by Commissioner Travis to request that the Board of Health present a recommendation to them concerning the Nurse Practitioner position. The motion carried unanimously.

MEETING WITH CITY OF DANVILLE

Chairman Battle moved, seconded by Commissioner Ward to officially request the Danville City Council and other officials to supply natural gas to a site at the Pelham Industrial Park. The motion carried unanimously.

COBB, EZEKIEL, BROWN & COMPANY

Mr. Robert Shaver, County Attorney, reported that after negotiations with Cobb, Ezekiel, Brown & Company, the firm who conducted the County's audit for fiscal year 2002-2003, a settlement of an invoice in the amount of \$20,000 has been reached. Mr. Shaver stated that Cobb, Ezekiel, Brown & Company has agreed to reduce its invoice for services rendered in conducting the County's 2002-2003 audit to \$16,000.

BLACKWELL BAPTIST CHURCH

Chairman Battle reported that he has been approached by another member of the Wiley family who lives across from Blackwell Baptist Church concerning the bright light. Chairman Battle noted that the church has decreased the wattage of the light, but it is still unsatisfactory to the Wiley's. Mr. Earp stated that the County has no Ordinance to address this issue. Chairman Battle requested that the County Manager or County Planner send a letter to Mr. Wiley informing him that the County is in the process of developing something that would address this situation.

THE ADJOURNMENT

At 9:50 p.m. Chairman Battle moved, seconded by Commissioner Lucas to adjourn the meeting. The motion carried unanimously.

Wanda P. Smith
Clerk to the Board

M. O. Battle
Chairman
